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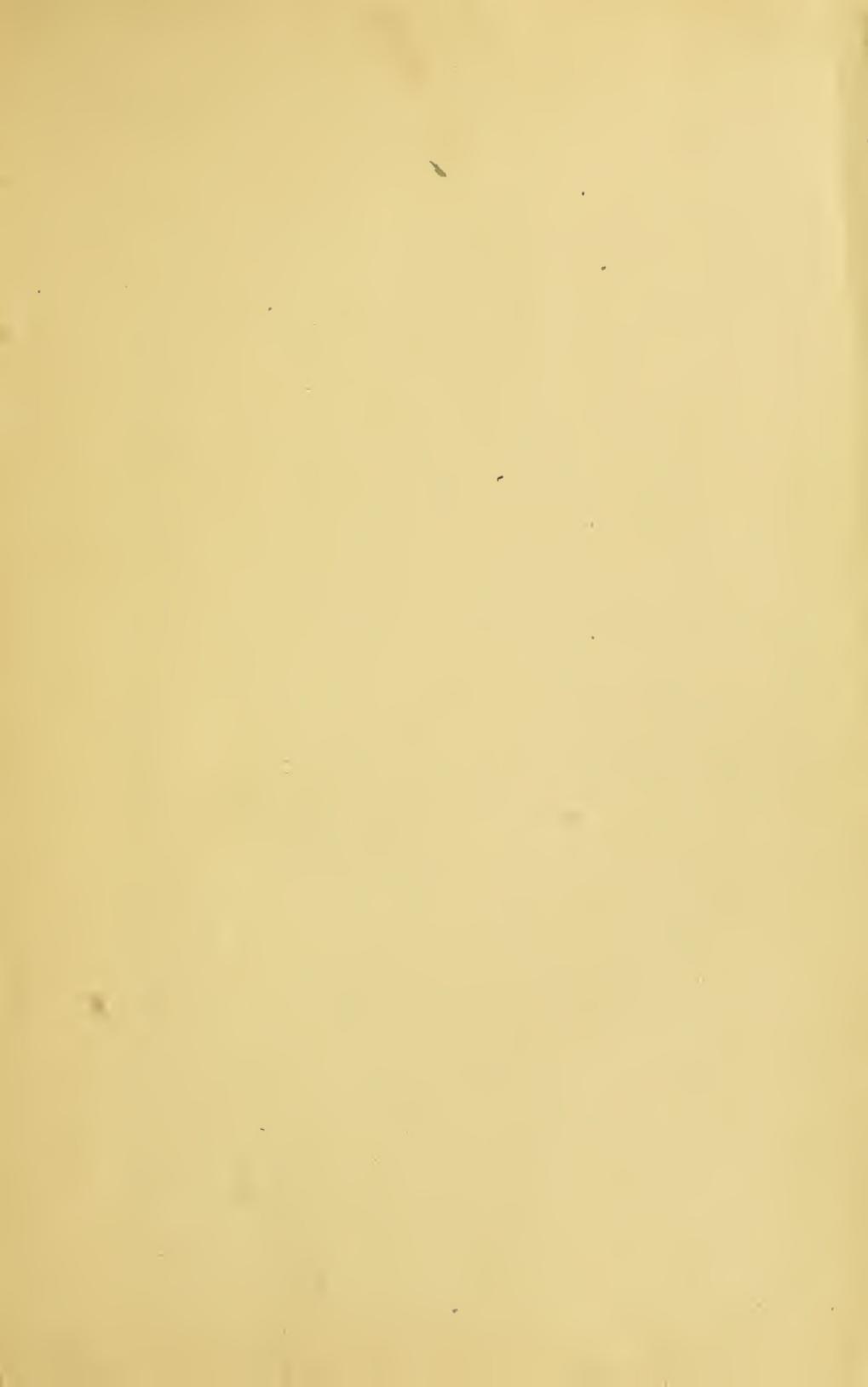
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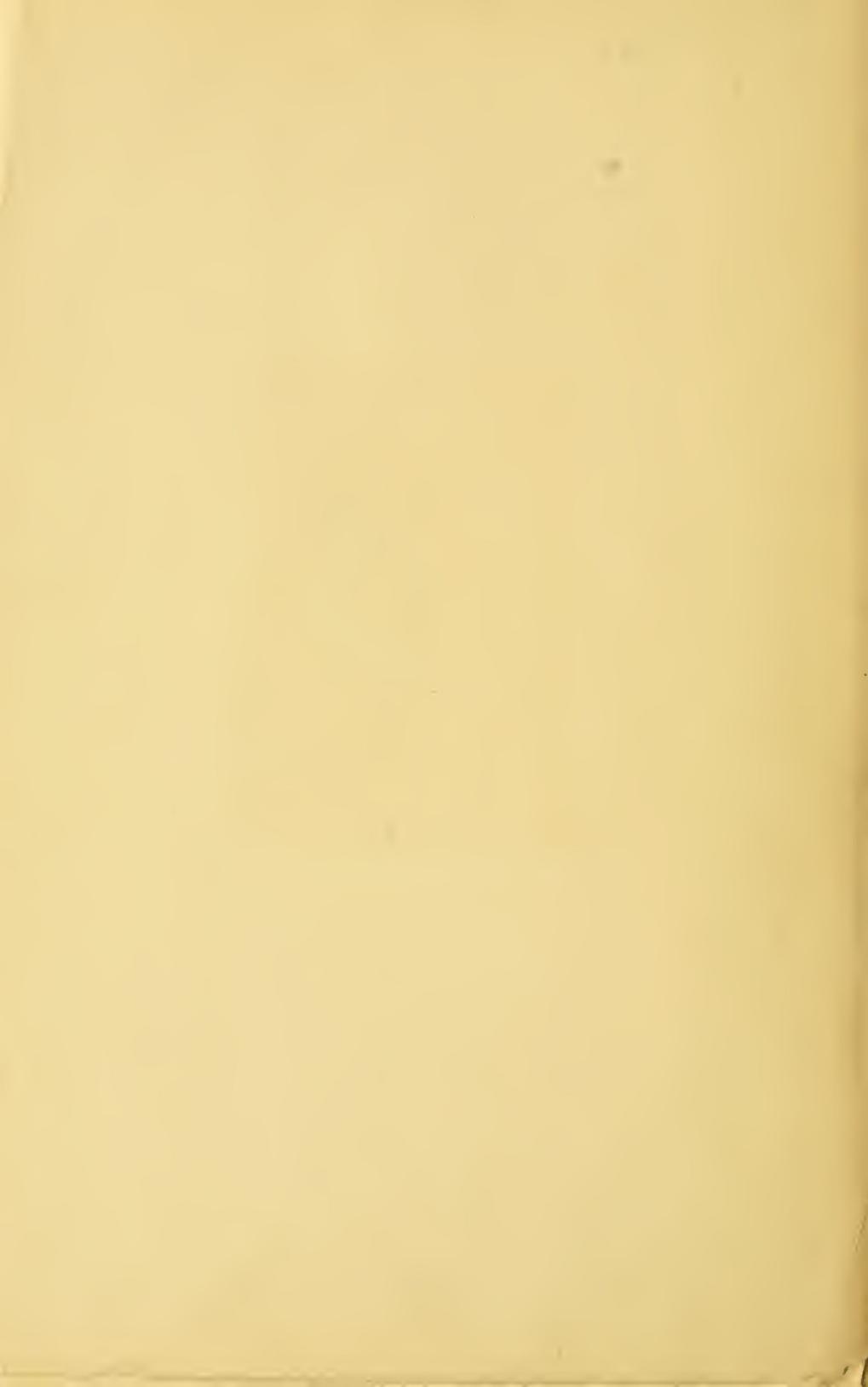




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THE FIRST STAGE OF THE MOVEMENT FOR THE ANNEXATION OF TEXAS

It is but a truism that the greatest value of history lies in the lesson, intellectual and moral, to be learned therefrom; and in all history there is perhaps no movement which is more profoundly instructive in both these aspects than the annexation of Texas. No clash of opposing political and social forces, no *mélée* of antagonistic human impulses, within the record has given better opportunity to distinguish the wisdom of the ages from the imperious conviction of the moment. But it is unsafe to consider any historical question primarily from the didactic standpoint. In such case, as experience has shown, insight is too often dulled by belief, and investigation misled by prejudice. The first concern, therefore, of every student of history should be the fact; from that alone can the true lesson be obtained. In accordance with this principle, I shall give attention, within the limits assigned me, mainly to the actual happenings of the annexation movement, only now and then touching upon their deep significance.

The subject of this paper is best approached by a brief summary of the events which led to the movement under consideration. This movement was begun by Texas¹ and was, it seems to me, a natural result of the Anglo-American occupation of that country and of the revolution which separated it from Mexico.

The Anglo-American influx into Texas began while the western boundary of the expanding United States yet rested on the Mississippi. The Louisiana purchase made this line coterminous on the southwest with the northeastern limit of Mexico, but the common boundary was not determined till 1819, when, for the sake of Florida, whatever claims the United States may have had to Texas were definitely given up. The intruders, however, continued to cross the Sabine without permission until the eve of the revolution which made Mexico independent of Spain. From that time forward the movement changed its nature and took on a colonizing aspect. The Anglo-Americans were allowed to enter freely as immigrants, and inducements to come were offered them in the shape of liberal allotments of land. By 1830 the Mexican government had become uneasy concerning the growth of an essentially alien population in

¹ Of course the suggestion is much older than the movement. I have not undertaken to trace the beginnings of the idea.

Texas and issued a decree forbidding further immigration from the United States. Nevertheless the immigrants continued to come, in considerable numbers at least. Finally in 1835 occurred the inevitable clash, which resulted in the expulsion of the Mexicans in 1836 and the independence of Texas.¹

The Texas revolution passed, in its development, through two states. In its first phase it was a struggle for the Mexican Constitution of 1824, in which Texas alone held out against the centralizing policy of Santa Anna after a similar resistance on the part of Zacatecas and Coahuila had been crushed by force. But after the colonists had definitely refused, in November, 1835, to claim independence, and after they had captured Cos's army at San Antonio and had cleared their soil of Mexican troops, it became evident that there was no hope of coöperation from the Liberals in Mexico, and that Texas must either submit or abandon the confederation. These alternatives had made themselves clear by January 1, 1836, and from that time forward the aim of the struggle was for independence.

Meanwhile a commission consisting of Stephen F. Austin, William H. Wharton, and Branch T. Archer had been sent to the United States to do Texas such service as it could. The principal work of the commissioners lay in stirring up public sentiment on behalf of the Texans and securing aid for them in men and money; but their letters indicate that they considered themselves instructed to negotiate for the recognition of the new republic, and, under certain contingencies, also for its annexation to the United States.

While the commissioners were in New Orleans in January, 1836, they prepared a design for a Texas flag, which was peculiarly suggestive of the importance they attached to the relations connected with the idea of annexation. It had—or was meant to have—the thirteen stripes of the United States flag, with the red changed to blue, and in the upper left-hand corner, instead of the stars, was the British union with red stripes on a white field. On the fly was a sun encircled by the motto *Lux Libertatis*, and on the face of the sun was the head of Washington, underneath which were the words, "In his example there is safety". The whole would undoubtedly have taken the first prize for complication at any world's fair ever held. The meaning of it is partly explained in Austin's own words:

¹The assertion made by John Quincy Adams in Congress, December 12, 1837, based on statements in Mayo's *Political Sketches of Eight Years in Washington* (*Ails' Register*, LIII, 266), to the effect that the revolutionizing of Texas was the result of a conspiracy planned by Sam Houston, was incorrect. Von Holst apparently credits the story (*Constitutional History of the United States*, II, 562), and Schouler definitely accepts it (*History of the United States*, IV, 251); but the Texan revolution cannot be explained in this way. See *The Nation* for August 13, 1903, 133-134.

Gift.

A. C. McLaughlin
4 Ja '05



"The shape of the English jack indicates the origin of the North American people. The stripes indicate the immediate descent of the most of the Texans".¹ It would seem that the design was intended especially as an appeal for recognition both by the United States and by England, but it was doubtless intended to suggest annexation as well.

Annexation, in fact, appears to have been the irresistible conclusion of the Texan logic from the moment that the colonists determined to break away from Mexico. The independence that necessity had forced them to assert was not desired for its own sake. It involved many problems that they were ill prepared to face, and from which admission to the United States would be a happy escape. Nearly all of them had been born and reared in that country,² and they were much attached to it and desirous, to the point of eagerness, to renew their citizenship therein. It is evident that they did not appreciate the difficulties connected with annexation. If they themselves were willing freely to offer the rich gift of Texas to the American Union, how could it, in any rational spirit, be declined? To them the idea was one not easily comprehended. Even the commissioners did not discover the strength of the anti-Texas feeling in the United States. They wrote home from Washington, April 6, 1836, while Houston was still retreating before the Mexican army, and while the outlook for Texas—though the commissioners did not then know it—was darkest, that they thought the United States government was ready to recognize Texas and, if it so desired, to admit it into the Union on liberal terms. The want, however, of official news from their government and of proper credentials for themselves prevented them from giving their judgment any test.

The commissioners already named were replaced in March, 1836, by Messrs. George C. Childress and Robert Hamilton; and these two, in June following, by James Collinsworth and P. W. Grayson. Meanwhile the Mexicans had been utterly defeated and driven from Texas, leaving their general, Santa Anna, and several hundred of his men prisoners. In September the permanent government of Texas was organized by a general election at which the question of annexation was submitted to the people, and a practically unanimous vote was cast in favor of the measure.³ At this election Sam Hous-

¹ *The Quarterly of the Texas State Historical Association*, III, 172. The design did not commend itself to the Texas authorities; but their objection, I think it can be shown, was not to its significance.

² See the address of the General Council of Texas to the Citizens of the United States, October 26, 1835. *Niles' Register*, XLIX, 234-235.

³ There were 3,277 for, and 91 against it.

ton was chosen president. He appointed Stephen F. Austin secretary of state, and William H. Wharton minister to the United States. A little later Memucan Hunt was sent to act in conjunction with Wharton, and Fairfax Catlett was appointed secretary of legation with the authority of *chargé* when the ministers should be absent from Washington.

The negotiations that went on between the two governments from the expulsion of the Mexicans up to the end of the Jackson administration, March 4, 1837, referred primarily to the question of recognition; but the subject was always considered with that of annexation, to which recognition was prerequisite, more or less in view. Recognition came at length in the closing days of that administration by legislative action that was virtually final. It is impossible to detail here the whole course of the negotiation, but it may be worth while to note some features of the correspondence relating more directly to annexation, because of the light it affords as to the situation on both sides.

In regard to the attitude of the United States authorities, the letters of the Texan commissioners to their government serve to indicate that they were, on the whole, assured of sympathy. To President Burnet, Austin wrote from New Orleans, June 10, 1836, that he believed that if he had been furnished with the necessary official documents, he could have secured recognition before leaving Washington. The feeling there was decidedly ardent in favor of Texas. On July 16 Collinsworth and Grayson wrote President Burnet that they had had two interviews with Secretary Forsyth and had found him uncommunicative; but he had stated that he knew the annexation of Texas was a favorite measure—when it could be accomplished with propriety—of President Jackson's.¹ Again, August 11, Grayson wrote W. H. Jack, then secretary of state under Houston, as follows: "As I have said before, there is in my mind no doubt that the present Administration, *can carry the measure of Annexation*,—General Jackson feels the utmost solicitude for it and we know how much that will count."² November 13, Collinsworth wrote that he had secured an interview with President Jackson and had been informed that nothing could be done until after a report from the United States agent that had been sent to Texas; and he added that, without pretending to have official infor-

¹ Diplomatic, Consular, and Domestic Correspondence of the Republic of Texas, file 295. This collection, of which the full title is given in this instance, will be cited hereafter simply as Diplomatic Correspondence of Texas.

² *Ibid.*, file 618.

mation, he thought it safe to hazard the opinion that Jackson was in favor of the measures contained in their instructions.

Now and then a note of doubt brings discord into this cheerful song of diplomacy. For example, Fairfax Catlett writes to Austin from Mobile, January 11, 1837, after having read Jackson's message of December 21:

You have doubtless by this time received President Jackson's message in relation to Texas affairs. I cannot express the regret, with which I gradually awoke to the unwelcome truth, that *he* is opposed to the immediate recognition of Texian independence. I did not anticipate so cold-blooded a policy from him.

Such fears and depressing speculations, however, are only for a moment. So long as Jackson is President, the general tone of the correspondence is sometimes impatient, but almost invariably hopeful. Catlett himself continues in the same letter as follows:

There is something within me however, that whispers that the message was a message of expediency not intended to sway the Congress from a just and generous measure, but to lull the jealousy of foreign powers, and gull the national vanity of miserable Mexico, while the work goes not the less surely on, and approaches the culmination of all that you most desire ; — not only recognition but annexation likewise.

On the Texas side appears a strong and practically unanimous desire for annexation, and confidence that it will not be long delayed. In his letter of September 12, 1836, from Velasco, Henry M. Morfit, the agent whom Jackson had sent to Texas, informed Forsyth, after summarizing the conditions on which Burnet's cabinet had agreed to offer the new-born republic to the United States, that

the desire of the people to be admitted into our confederacy is so prevailing, that any conditions will be acceptable which will include the guaranty of a republican form of government, and will not impair the obligations of contracts. The old settlers are composed, for the most part, of industrious farmers, who are tired of the toils of war, and are anxious to raise up their families under the auspices of good laws, and leave them the inheritance of a safe and free government.²

Austin's instructions to Wharton, which are dated November 18, 1836, advise him that he is to make every effort to accomplish the second great object of his mission—annexation, and they give a lengthy and moderate discussion of the subject in almost every aspect.³ December 10, Austin wrote Wharton⁴:

¹ *Ibid.*, file 279.

² House Ex. Doc. 35, Vol. 2, 24 Cong., 2 sess., 26-27.

³ *Diplomatic Correspondence of Texas*, file 52.

⁴ *Ibid.*, file 58.

Public anxiety is unabated on the subject of annexation to the U. S. The opinion in favor of that measure is much more decisive, if possible, than when you left. It is therefore expected that you will press that matter with as much earnestness as prudence will permit.

Nor did the Texans appear to be over-solicitous about the conditions on which annexation was to be secured. Morfit's expression on this point has been quoted already. The instructions to Wharton state, in general terms, that he must guard the right of Texas to become a state without delay on an equal footing with the others; to subdivide its territory into other states as might suit itself, the limit of the number being fixed; to retain possession of the public domain, unless the United States assumed the Texas debt; to have the acts of its government held valid; to be free from restrictions on slavery not imposed on the other slaveholding states; etc. One of the most interesting features of the instructions is that which authorizes the minister, in case the Rio Grande is seriously objected to as the boundary line with Mexico, to agree to a line much farther north, which, had it been adopted, would have left in possession of that country all the Mexican settlements over which Texas had not fully established jurisdiction. Another despatch dated December 10,¹ and apparently written subsequent to the one for that day already mentioned, adds the following:

It is certainly desirable that Texas should enter the American Union at once, and undivided; but should you discover that this condition, if positively insisted upon, is likely materially to affect the main object, which is annexation; I am directed by the President to say, that you are at liberty to waive it, and agree to a territorial Government, with the necessary guarantees as to a state Govt., as soon as it is petitioned for. This Govt. has too much confidence in the just and liberal principles by which the United States are governed, to doubt that full and ample justice will not be done us in every respect.

The additional instructions given at the time of Hunt's appointment, which are dated December 31, 1836, and signed by J. P. Henderson, acting secretary of state, inform him that the second main object of his mission is:

The annexation of this Country to the United States either as a separate State to be on equal footing with the other States of the Union or as a Territory with the right to admission into the Union as a State when she can number a sufficient amount of population to entitle her to admission according to the Laws of the United States².

It is easy to see that the complications of the affair, which were serious enough at the outset, but which grew rapidly as the negotia-

¹ *Ibid.*, file 58.

² *Ibid.*, file 701.

tions progressed, were such as to invite diplomatic chess play, and it soon began. If the mother-country of Texas would not cultivate sufficiently cordial relations with her runaway children, England and France might; and if the guards of the treaty portal refused to open at their request, some other entrance to the old home might be found. It may have been that the Texas diplomatists were not as smooth and wary as Van Buren and Forsyth, but they soon showed themselves to be resourceful. In the instructions by Acting Secretary of State Henderson to Minister Hunt, quoted in the last paragraph, the argument is suggested to Mr. Hunt that

if the event of [the refusal of (?)] that Government to receive this country into the Union either as a State or as a Territory it may become necessary for Texas to form a Treaty of Amity and Commerce with England or some other European power which would forever and entirely preclude the people of the United States from enjoying any of the benefits resulting to Texas from the richness of her soil, commerce, etc etc These reasons may be very forcibly impressed particularly upon the Representatives of the Northern States from whom we may expect to meet the greatest opposition, because should Texas be attached to the United States the immense consumption of those articles principally manufactured in the Northern States will more than compensate for the additional strength which its annexation will add to the political influence of the south.

A little further along in the same document Henderson advises Hunt as follows:

In the event that there should be doubts entertained whether a treaty made with this Government for its annexation to the United States would be ratified by a constitutional majority of the Senate of the United States you are instructed to call the attention of the authorities of that Government to the propriety and the practicability of passing a law by both houses (in which it would require a bare majority) taking in this Country as a part of her Territory, this¹ law could be passed, (provided Congress has the power to do so) based upon the vote of the people of Texas at the last election but in framing such an act great care should be used in order to secure all of the rights of Texas and its citizens as fully as you are instructed to have them attended to in any treaty which may be made, if¹ such an act is passed you can give that Government the fullest assurance that it will be approved by this Government and people. But inasmuch as this is rather a novel position you will speak of it with great prudence and caution.

This is the first definite suggestion which I have been able to find of the expedient made so familiar by its later use in securing annexation when the method by treaty had failed. The instructions of Austin to Wharton, November 18, 1836, indicate the possibility of a second available string for the annexation bow, but it is only

¹ So in the original, but this word should have begun a new sentence.

by a somewhat uncertain implication. Wharton is to use his "discretion as to the proper mode of bringing . . . [the subject] before the executive or Congress". It may be that the use of the word "Congress" is inadvertent, and that the meaning is that Wharton shall simply use his discretion in seeking to secure favorable action by the United States Senate. This construction, however, appears improbable. It is more likely that the alternative form of Austin's expression reflects the idea of a real alternative in the method by which annexation may be obtained. His statement implies that the subject may be laid either before the executive or before Congress, and in either case Wharton is to use his discretion as to the way in which he shall proceed. It is true that whenever Austin, in the same instructions and in other documents, mentions the contemplated contract of annexation, he calls it a "treaty", and in one place he even says that annexation "must be effected by a formal treaty which must be ratified by the Senate of Texas, in conformity with the Constitution"; but it seems likely that in most cases he is using the word "treaty" rather in the general sense of an international agreement than in its technical significance in the United States or the Republic of Texas.

The idea of annexation by act of Congress is found also in another document originating in a quarter far distant from Texas, and so nearly contemporaneous with Austin's letter to Wharton as to preclude the likelihood of any direct connection between them. This is the message of Governor McDuffie of South Carolina to the legislature of that state on his retirement from office in 1836.¹ He said :

You are doubtless aware that the people of Texas, by an almost unanimous vote, have expressed their desire to be admitted into our confederacy, and application will probably be made to congress for that purpose. In my opinion, congress ought not even to entertain such a proposition, in the present state of the controversy.

The report made by the Senate Committee² on Federal Relations, to which this part of the message was referred, expresses the conviction that when Texas has established a *de facto* government clothed with all the attributes of sovereignty and independence, the questions of recognition and of annexation may safely be confided to Congress.

The recognition of the independence of Texas cleared the way for the direct effort to secure annexation; but the struggle involved had shown the Texans how many and how great were the difficulties to

¹ *Niles' Register*, I.I, 229-230.

² *Ibid.*, 277. The House report is *ibid.*, 242.

be overcome. Their desire was unchanged; but enthusiasm was giving way to circumspection, and they were learning to curb their eagerness. Five months were suffered to elapse before Hunt, who was now sole minister of Texas at Washington,¹ took up the matter officially with the United States government. But, before this phase of the movement can be considered, it becomes necessary to explain the difficulties I have mentioned; and the most serious of them, I need hardly say, arose from the growing opposition of the North to slavery.

Up to the time of the Texan revolution, the influence of slavery in the political and social development of Texas had been of some importance, but it had not had the effect which historians have usually represented. The colonization of Texas was but another wave of the same tide of expansion that had already carried Anglo-American civilization westward over the Alleghenies and across the Mississippi. The causes of it had little connection with slavery. The friction with Mexico brought about by the antislavery legislation of the Mexican government served for one or two brief periods to retard the growth of the colonies, but it disappeared before 1830 and played no appreciable part in bringing on the revolution. Neither was the material help given Texas from the United States in the course of the revolution the result, in my opinion, of any systematic thought for the expansion of slavery. The principal motive that carried "volunteer immigrants", as they were called, to Texas during the latter part of 1835 and the first part of the following year is well illustrated by an anecdote published in the *Texas Almanac* for 1861 (p. 75) and attributed to General H. D. McLeod. It is to the effect that when Ward's battalion, which had been raised in Georgia, was passing through Montgomery, Alabama, on its way to Texas in the winter of 1835, it paraded for recruiting purposes. A flag at the head of the column bore the motto "Texas and Liberty"; but, as the battalion marched along the street, a wit among the bystanders suggested that the words be changed to "Texas, Liberty, and Land". This joke puts the matter in a nutshell. I am aware that some will differ from me in the opinion just stated; and, while my aims are expository and not polemic, I regret that the limits of this paper forbid any defense of my position. It is my intention to publish ere long a statement of the evidence by which it is determined; but the subject is too large for adequate treatment here and must therefore be passed over for the present.

The struggle for annexation, however, centers about the slavery issue; but here again the point of view of our historians, it seems

¹ Wharton had left the United States soon after recognition was secured.

to me, has often been incorrect. Slavery is not to be charged with the success of the movement. On the contrary, it alone roused an opposition which came perilously near preventing, for a period that no one can estimate, the acquisition of Texas and leaving it a barrier to the westward extension of the United States, an agency for the promotion of foreign interests, and a menace to our national unity. That the slaveholding interest alone could not have accomplished annexation goes without saying. The states it controlled did not have votes enough for that in either house of Congress. The result can hardly be interpreted otherwise than as a triumph of the impulse toward expansion which has so often manifested itself in our history and against which the brave energy of John Quincy Adams and the matchless eloquence of Clay and Webster were arrayed in vain. Had there been no slavery in Texas, the triumph would have been achieved with less than half the struggle. Had there been none in either country, there would have been no struggle at all. If the application of Texas had but come a few years earlier, it is probable that recognition and annexation would have been secured in quick succession and with comparative ease. The slavery issue would not then have so complicated the process; nor is it to be supposed that the risk of war with Mexico would have proved to be any effectual hindrance. The recent Panama episode is teaching us a great deal about ourselves, and I cannot believe that in the twenties and thirties of the nineteenth century we were essentially different.

As the hands pointed, however, on the clock of destiny, the annexation movement was ill-timed. While the quarrel of Texas with Mexico was passing from difference and recrimination to defiance and the rude arbitrament of war, the genius of Occidental civilization had girded itself for mighty work on both sides of the Atlantic. A broadening conception of the rights of man had begun to threaten privilege in every quarter. The rising of the American demos had overthrown the political aristocrats of the seaboard and seated in the presidential chair the king of the western commonalty. The July revolution had brought France a faint reminder of the days of '89, and, as it spread, had given the throne of continental Europe a warning shake. In England Parliamentary reform had relieved the abuses of five hundred years, and the new philanthropy had abolished slavery in all the colonies of Great Britain, and had paid the bill. Finally, just at the time when Texas was engaged in its desperate struggle against the Mexican invaders, the trumpet-call to the "irrepressible conflict" was sounded by both sides on the floor of the American Congress, where issue was joined concerning

the right of petition relative to slavery. The personality of Adams and Calhoun, the two great leaders who stood over against each other in this opening fight,¹ is a sufficient guaranty of the honesty and strength of the convictions that clashed. It is, in fact, devotion to their faith, religious, political, and social, that has given the Teutonic stock world-wide supremacy. Though it has often inspired the determined champions of error, in the long run it has always made for truth and right.

The issue of annexation was thus involved from the outset with that of the nationalization and expansion of slavery. The occasion brought the most extensive use of the right that had been challenged—so far as it applied to this distinctive Southern institution—that our history has ever witnessed; and when the stream of petitions relative to Texas began to pour in upon Congress, it mingled with a similar stream of those praying for the abolition of slavery in the District of Columbia. Along with the petitions came legislative resolutions from various states relating to the same subjects. The people were becoming profoundly stirred; and this sudden manifestation of unfamiliar forces threw most of the political leaders into a state of absolute terror. Even Jackson adopted an attitude of caution entirely foreign to his nature, while Van Buren studied the situation and trimmed, and Clay, “thinking too precisely on the event”, was driven to fatal irresolution.

Those who have gathered their knowledge of the relations of the Republic of Texas with the United States from the standard histories rather than from the sources will probably have the impression that a harmonious outcry for recognition and annexation went up from the slaveholding states as soon as the question was presented. There was, however, one notable exception. In his message to the South Carolina legislature near the end of the year 1836,² the retiring governor, George McDuffie, protested strongly against any action on behalf of Texas. After a ringing argument in favor of guarding the domestic institutions of the state against outside interference, he went on to extend the doctrine to the case of Texas. The expressions in his message most in point are as follows:

I have looked with very deep concern, not unmixed with regret, upon the occurrences which have taken place during the present year, in various parts of the United States, relative to the civil war which is still in progress, between the republic of Mexico and one of her revolted

¹ I have not forgotten the Missouri Compromise, but I am inclined to think students of American history will agree that the real beginning of the “irrepressible conflict” was in the struggle over the right of petition with reference to slavery.

² *Niles' Register*, L.I., 229-230.

provinces. It is true that no country can be responsible for the sympathies of its citizens ; but I am nevertheless utterly at a loss to perceive what title either of the parties to this controversy can have to the sympathies of the American people. If it be alleged that the insurgents of Texas are emigrants from the United States, it is obvious to reply that, by their voluntary expatriation, under whatever circumstances of adventure, of speculation, of honor, or of infamy, they have forfeited all claim to our fraternal regard. . . . There is but too much reason to believe that many of them have gone as mere adventurers, speculating upon the chances of establishing an independent government in Texas, and of seizing that immense and fertile domain by the title of the sword. But be this as it may, when they became citizens of Mexico, they became subject to the constitution and laws of that country ; and whatever changes the Mexican people may have since made in that constitution and those laws, they are matters with which foreign states can have no concern, and of which they have no right to take cognizance. I trust, therefore, that the state of South Carolina will give no countenance, direct or indirect, open or concealed, to any acts which may compromit the neutrality of the United States, or bring into question their plighted faith. . . . If we admit Texas into our union, while Mexico is still waging war against that province, with a view to re-establish her supremacy over it, we shall, *by the very act itself*, make ourselves a party to the war. Nor can we take this step, without incurring this heavy responsibility, until Mexico herself shall recognize the independence of her revolted province.

The part of the message relative to Texas was referred to the Committee on Foreign Relations in both the House and the Senate. The House committee brought in a favorable report, which was adopted,¹ and the nature of which is sufficiently indicated by the following extract :

*

The committee fully agree with his excellency on the propriety and sound policy of the government of the United States maintaining a strict neutrality with all foreign nations, and especially with Mexico in her contest with Texas ; and that we are the last people who should set an example of impertinent interference with the internal concerns of other states. . . . South Carolina cannot consent, under a supposed idea of self-interest, to violate the sanctity of the law of nations, or that neutrality which should always be guarded by the United States towards a foreign nation engaged in an internal struggle. Under the present circumstances, to acknowledge the independence of Texas and receive her into this union, could be no less than a declaration of war against Mexico, and of doubtful policy to the older slave-holding states.

These documents have been referred to thus at length because, among other reasons, of the exceptional nature of the argument as coming from Calhoun's own state, the very citadel of the slavery interest, and especially from such a champion of that interest as

¹ *Niles' Register*, LI, 242, 273.

George McDuffie.¹ To those who believe that annexation was due to slavery alone, it should be profoundly instructive.

The Senate committee made an unfavorable report, which was adopted "by nearly a unanimous vote."² The report was presented by Ex-governor James Hamilton, who soon became identified with Texas; but it contains nothing that stands out sufficiently for reproduction here.

In the interval between the act of recognition and the proffer of annexation, the Texas minister at Washington, like Van Buren, studied the situation, and made voluminous reports. These are of great interest and value in following the tortuous course of the administration as it sought to make up its mind. April 15, 1837, Hunt wrote to Henderson from Vicksburg, Mississippi³, that he thought a secret agent should be sent to England to purchase a treaty there with valuable commercial concessions. Recognition by England, he thought, would guarantee annexation. The South was so ardent therefor that failure would dissolve the Union, and the Northern politicians would yield before going to that extremity. He went on to say that nothing had so increased the zeal of Southern politicians for Texas as the question of John Quincy Adams in the House whether it would be in order to present a petition from slaves. By this act one of their worst enemies had helped them more than "the most studied movements" of their best friends. Open negotiations with Great Britain would probably prevent annexation by provoking a paper issue with the Abolitionists, and action should be taken in a way that would cause as little excitement as possible; for fanaticism would temporarily overrule the wisest measures. But the Northerners were a law-abiding people; and if a treaty of annexation could be secured, the trouble would all be over. He added, by the way, that, having secured recognition, and not expecting favorable action as to annexation for the time, he thought it might be best for him to visit Thomas H. Benton, who could do Texas more service in that respect perhaps than any one else in the United States.

¹ McDuffie afterward became an ardent annexationist. As senator from South Carolina, he voted for the joint resolution in 1845 and made one of the strongest arguments in its favor that the occasion called forth. Relative to this, Daniel Webster remarked, in the course of a controversial tilt with McDuffie in the Senate, July 28, 1846: "I think the most powerful argument ever addressed to the people of the United States against the annexation of Texas was from the Governor of South Carolina; and I think the greatest speech in favor of it was made by the Senator from South Carolina—*idem personem [sic]!*" See *Congressional Globe*, 29 Cong., 1 sess., 1154.

² *Niles' Register*, L1, 277.

³ *Diplomatic Correspondence of Texas*, file 714.

Two much more interesting letters than this were written by Catlett to Henderson during Hunt's absence from Washington in the spring of 1837. The first is dated April 29¹. In it Catlett tells a curious tale of how he had been suddenly summoned to the office of the Secretary of State and informed by the chief clerk—by direction, of course, of the Secretary himself—that the department had just received some important information from the United States consul in the City of Mexico. It was to the effect that a resolution to sell Texas, "and as far south as might be deemed expedient", to the British government at twenty-five cents an acre had been introduced at a secret session of the Mexican congress and would certainly be adopted. A question as to whether the consul's letter indicated that the British government had offered to make the purchase, or would agree to it, was answered in the negative. Extracts from the letter including the most essential parts were requested and obtained. They showed that the sale was proposed in order to pay off the debt of sixty-eight million dollars due from Mexico to English subjects. These extracts were despatched in a lengthy communication dated May 7², and containing matter of peculiar interest. Catlett sent a copy of a letter which he had written to Forsyth on May 2, and which serves to show that he had not neglected his opportunity for an important move in the diplomatic game. He thanked the Secretary very heartily for the information that had been given, and said that this regard for the welfare of Texas would "doubtless strengthen the filial feeling which it has always cherished for its parent commonwealth". He then inquired whether the United States government thought Mexico's offer to Great Britain would be accepted, and whether it would take any steps to prevent such an undesirable consummation. He went on to suggest the danger that the British government might have made secret overtures to Mexico and that, in spite of the apparent unreasonableness of the thing, it might be really seeking to possess itself of Texas. He excused himself for asking such questions as the letter contained by setting forth the deep solicitude the government of Texas would naturally feel concerning the subject, and the impossibility of its obtaining any direct information. In a paragraph following the copy of this letter Catlett explained to Henderson that he wrote the letter to call the attention of Forsyth to the fact that the subject was as important to the United States as to Texas, and that their interests in respect to it were identical. He wished also, of course, to elicit such information as he could.

¹ Diplomatic Correspondence of Texas, file 284.

² *Ibid.*, file 285.

Forsyth was doubtless sorry that he had allowed the cat to peep at all from the bag he was holding, and the letter of the Texas chargé must have cost the Secretary of State at least one sleepless night. Catlett went on to recount, in his despatch of May 7 detailing the course of the affair, that the next day (May 3) he had a note from the chief clerk of the Department of State asking him to call at his convenience, and that he presented himself at the office the same morning. As he entered, Mr. Forsyth, who was just leaving the room, saw him and invited him to an interview, which had evidently not been intended for that morning, and a very interesting colloquy ensued. Forsyth said he thought Catlett had better take back his letter; that some expressions in it, though their use was justified, might lead to future misunderstanding. He referred especially to "Parent Commonwealth". Catlett replied that the expression was not meant to indicate that Texas owed its origin to the United States government, but was intended only in compliment, since the Texans were nearly all natives of the United States, and since they had adopted the same form of government and the same institutions as those of that country. But Forsyth "said that it was an expression which would still be made use of by the enemies of the administration and by all such as were inimical to the United States and to Texas;—that all correspondence in relation to Texas would probably be called for next winter by congress, and that, while the best feeling and wishes for the prosperity of Texas were cherished, it behooved him to be careful to make no admissions, which might be interpreted as showing an undue interest in the success of our revolutionary struggle". To this Catlett answered that he knew "the situation of the United States was a delicate and embarrassing one, and that it was by no means . . . [his] desire to render it more so, but that the identity of interests between the countries was so striking and apparent, and pointed so clearly to the United States preventing Great Britain from negotiating for the purchase of Texas, that . . . [he] could not but encourage the hope, that some assurance would be given to . . . [his] Government, that if any negotiations were opened between Great Britain and Mexico, the United States would immediately interfere". "In what way could we interfere?", asked Forsyth. "By distinctly intimating", replied Catlett, "to the British Govt that the United States could never consent to Great Britain's obtaining possession of Texas". Forsyth suggested, "Great Britain in return might say the same to us"; the answer to which was, "If she did, it would be easy to reply that the United States would make no such attempt, that she had already

acknowledged the separate existence of Texas as an Independent Republic, but that if it were the unequivocal desire of the people of Texas to be admitted into this Union, that their wishes would be properly respected and listened to". At this point the exchange of argument ended, and Forsyth went on to say that, while the subject was one of common interest, he had no idea that Great Britain would accept the Mexican offer or that any overtures for the purchase of Texas had come from that country; that he would cheerfully communicate all information he could give that might be of interest to Texas, but he could express no opinion as to the policy that would be pursued by the United States; "that notwithstanding the numerous ties by which the people of the two countries were virtually bound together, it was necessary that the intercourse between their Governments should be carried on as if there was no peculiar relationship between them;—that some of the expressions in . . . [Catlett's] letter might be referred to on some future occasion as showing that an undue interest had been taken by the Government of the United States in the affairs of Texas and that he would prefer returning it to . . . [him]". Catlett then took back the letter, because, as he explained, its purpose had been accomplished. He assured Forsyth, with a refreshing assumption of innocence, that inexperience alone had prompted the writing, and the conference was at an end. In his letter to Henderson Catlett added that he had obtained information from Mr. Crallé, on which he relied as correct, that Great Britain had been approached by Mexico some time before on the subject of purchasing Texas and had given a decided refusal.

Another communication from Catlett to Henderson, written May 25 and 30¹, reported that he thought the administration would use every exertion to keep down the question of annexation, but that a strong effort would be made by the South to have the matter decided by the ensuing Congress. He said Forsyth had told him that if Congress had not tied the hands of the executive, Mexico would already have been taught to respect the rights of American commerce. The despatch closed with the statement that, while many persons in the United States regarded the issue as doubtful, it was clear "to the sagacious and intelligent" that the government of that country had so far compromised itself by the act of recognition as to have made common cause with Texas; that only the imprudence of Texas could prevent the ties between them from increasing "in strength and holiness"; and that it was impossible that the deportment of Texas "should be regulated by too scrupulous an adherence to the established principles of international law".

¹ Diplomatic Correspondence of Texas, file 306.

As to the delay in proposing annexation, the correspondence goes to show that it was due to the refusal of the United States authorities to entertain the proposition so long as Mexico persisted in attempting to reconquer Texas. A despatch from Hunt to Henderson, dated Vicksburg, May 30, 1837¹, states that Forsyth had distinctly so described the attitude of the administration. It can scarcely be doubted, however, that the refusal was due still more to the fear of a divided and uncertain public sentiment in the United States.

On July 11, Hunt reported from Washington² that he had been accorded an interview with President Van Buren, and had expressed to him the hope of nearer relations between the United States and Texas than mere diplomatic intercourse. The President had replied warmly, with dignity, and at length, but the letter reveals in what he said only "glittering . . . generalities". Hunt remarked that, in accordance with his instructions from the government of Texas, he would commit himself to no treaty stipulations until he was advised further.

In the same communication Hunt said that, while he had first urged a secret mission to Great Britain, he had finally become convinced that the appointment of a minister was wise.³ The mere announcement had so aroused the Southern states to the danger of losing Texas that they would present an unbroken line of resistance to any anti-Texas administration. He thought the people south of the Potomac would prefer the dissolution of the Union to the loss of Texas. They and the people of Texas had common interests, origin, and history, and "in this age of fanaticism on the subject of slavery" they would force their government to adopt the Texans, or would create a new order of things. He was sanguine that the administration would be compelled to make annexation a "leading issue".

Hunt then proceeded to define the attitude of certain prominent men and to describe, in general terms, the whole situation. Webster had entered the field for the presidency. He and his friends were expected to be decidedly hostile to Texas. He had raised the cry of Southern preponderance in the councils of the Union. His influence was in the northern and middle states, but was dominant only in Massachusetts and Vermont; his opposition had solidified the South warmly for Texas. The Cabinet was said to be sectionally divided on the question of annexation, but Hunt had it on good authority that Woodbury would support the views of the President, which would give Texas a majority of one. Clamor about financial

¹ *Diplomatic Correspondence of Texas*, file 718.

² *Ibid.*, file 719.

³ Henderson had been appointed.

troubles had been weakening the Jackson party, and in New York and Pennsylvania, where the President was considered invincible, recent events seemed ominous of defeat. In the south everything depended on his course as to slavery, and nothing else would help him there so much as hearty support of annexation. Hunt had thought it not unwise to encourage the idea that Texas would stand by the administration under whose auspices it entered the Union. He suggested also the propriety of his being duly authorized, if the subject of annexation should come before the next Congress, "to employ some efficient and able person, *having influence* with the members of the non-slaveholding states, to counteract the intrigues of Mr. Webster and the enemies of Texas". He repeated that "a well paid, efficient, and if you please, secret agent, acting under my direction and having influence with the members of the non-slaveholding States, would be a most important enablement unto the success of our cause". He advised against an attempt at conciliation of the party "known . . . as Northern fanatics"; for that might impair "that firm, devoted and enthusiastic unanimity of the South, which is, indeed, our main support".

August 4, 1837,¹ came the long-delayed proposal of annexation in a formal communication from Hunt to Forsyth. The Texas minister sketched the history of that country and said that it sought annexation because of its kinship in blood, language, and institutions with the United States. He gave its estimated area and population, and a brief statement of its resources. Texas, he said, neither feared reconquest by Mexico, nor sought protection against European interference. It offered a market for all agricultural products of the United States except sugar and cotton. Delay might be fatal to annexation, for Texas was establishing relations with foreign powers that might develop insurmountable obstacles; and it might, by means of commercial treaties having special relation to the two states mentioned, and because of its better adapted soil, rival the United States in the production of both and drain away the population from that country. If Texas remained independent, the very similarity between the two countries would bring about a conflict of interests. Annexation would insure the United States control of the Gulf of Mexico, and might contribute to peace with the Indians on the frontier of the two countries. The question was asked "in the name of national honor, humanity, and justice" if a nation whose career had been marked by constant violation of treaty obligations, by licentious revolutions, and by shameful mistreatment of its people

¹ House Ex. Doc. 40, 25 Cong., 1 sess., pp. 2-11.

had not "thereby forfeited all claims to the respect of the Governments of civilized nations".

A letter from Hunt to R. A. Irion¹ written the same day reported this formal opening of negotiations to the government of Texas. The minister said that he still hoped for annexation, but the course of the official newspaper (*the Globe*) had not been encouraging. Hunt's friend and relative, John C. Jones of North Carolina, who was intimate with the editor, Mr. Blair, had sought to influence him to support annexation, but had failed. Blair's private opinions were in favor of it, but the President had instructed him to be neutral for a time. Van Buren would favor the most popular course as soon as he ascertained what it was.

August 10, Hunt wrote Irion² concerning the proposal made six days before: "I thought it best to say nothing of the slave question, which as you know is more important than any other connected with the subject of annexation". The President of the United States seemed anxious to suppress the desire which Hunt had shown to push on the movement; and one of Van Buren's intimate friends had urged the deferring of the project so strongly that a show of resentment had been required in order to get rid of him. This gentleman was told by Hunt that, if annexation failed, the President and his advisers would be responsible for the result, which might be fatal to the Union. The Texas minister remarked in passing that he himself was ardently attached to the Union, and that he thought annexation would prolong, if not perpetuate it. His fears concerning Van Buren's attitude led him to suggest that Irion should address a proposal for annexation to some member of Congress to be presented to that body. The name was to be left blank for Hunt to fill in when the occasion came for the use of the document. A postscript dated August 11 said that Hunt had just ascertained Forsyth to be violently opposed to annexation.

Not till August 25, did Forsyth reply to the proposal of annexation. His answer³ disclaimed at the outset any unfriendly spirit toward Texas. This was followed up by declining to look into the historical facts recited by Hunt and by expressing the hope that the act of recognition would lead Texas to cherish close relations with the United States and abstain from connections detrimental to that country. The proposed acquisition of territory would be different

¹ *Diplomatic Correspondence of Texas*, file 726. Irion had succeeded J. P. Henderson as secretary of state.

² *Ibid.*, file 728.

³ House Ex. Doc. 40, 25 Cong., 1 sess., pp. 11-13. The refusal of the proposition, while perfectly clear, was not in direct terms, but only by implication.

from any the United States had ever made, inasmuch as it involved the absorption of an independent sovereignty. It involved also a question of a war with Mexico, to which country the United States was under treaty obligations that precluded even reserving the proposal for future consideration.

The rejoinder of Hunt,¹ which was dated September 12, argued that the negotiations for the purchase of Texas from Mexico before Mexican independence had been acknowledged by Spain involved as great a breach of treaty obligations, if the principle on which the United States claimed to act could be allowed, as the acceptance of the proffered annexation. Undeniably, he thought, a sovereign power had as much right to dispose of the whole of itself to another as to dispose of a part. Texas did not feel under obligations to follow any special foreign policy because it had been recognized first by the United States; and if its relations should become such as seriously to affect the interests of that country, he thought complaint would be unreasonable after the offer of all it had to give had been declined. But he assured the Secretary of State, and through him the President of the United States, that the prompt and decisive rejection of the proposal would not be charged to unfriendliness. Six days later Hunt wrote Irion² that he hoped a resolution would be introduced in one of the houses of Congress at the approaching regular session that would request the Texas minister to state the terms on which Texas sought admission into the Union, and that a motion to accept the terms would be adopted by both houses. The President would add his approval.

For about a year from this time forward the despatches tell a tale of daily alternating hopes and fears, with the prospect of annexation gradually on the decline. October 20, 1837, Hunt wrote Irion³ that the state of the question was "delicate and precarious". Success seemed to depend on war between the United States and Mexico. The friends of the measure, taking their cue from the President and the Cabinet, were begging for time to save the party in the north, while Hunt himself was urging the danger of alienating the South by delay. He had threatened, in conversation with an influential friend of Van Buren's, to ask the Texas government for a recall; but a communication so hedged about with secrecy that he could not even state its substance in the despatch induced him to remain. On the next day, October 21, P. W. Grayson, who had just come from Texas to the assistance of Hunt, wrote President Houston a sup-

¹ House Ex. Doc. 40, 25 Cong., 1 sess., pp. 14-18.

² Diplomatic Correspondence of Texas, file 732.

³ *Ibid.*, file 736.

plementary note, in which he said that the annexationists were then depending much on Clay to lead the fight for the measure if the Cabinet continued its equivocal course; and he made the interesting observation by the way that Hunt's letters would show "that even the old fanatic J. Q. Adams is committed for the acquisition of Texas". Hunt, in a letter of November 15 to Irion,¹ represents Forsyth as being then "a warm advocate for the measure of annexation and for having it accomplished as early as possible". The friends of the measure were increasing very fast in the west. Hunt was informed that there was not a single dissentient in the Illinois delegation. Senator Allen of Ohio favored the measure. So did both the senators from Michigan personally, and they promised to do so officially if their constituents could be reconciled to it. But December 7, Grayson reports to Houston that "there is no solid foundation on which to build a hope that the measure can now be carried . . . both parties here are afraid to move in the matter for fear of losing popularity in the North".

On January 4, 1838, was initiated the attempt, so often suggested in the letters of Hunt and Grayson, to accomplish annexation by Congressional action. Naturally the work began in the Senate. There were found the most determined and aggressive champions of the measure; and initiative by that body would not seem too great a departure from the well-trodden paths of diplomacy. It should be observed, in fact, that the plan does not seem, for the time, to have contemplated action by the legislative independently of the treaty-making power, but only such a step as would force the hand of the unwilling executive and push him into negotiations. On the day named, Preston of South Carolina introduced in the Senate a resolution sounding the now famous political war-cry of "reannexation" and asserting the desirability and expediency of resuming possession of Texas, which was declared to have been "surrendered" in 1819. Three months later he spoke for two hours in support of his resolution. The paralyzing effect of the subject is sufficiently illustrated by the fact that, though the Senate has never been famous for "dumb sittings", when he sat down there seemed to be no one else that wished to say a word. Walker, however, was not present. June 14, the resolution was taken up again and tabled by the decisive vote of 24 to 14.² How the question of annexation was raised during the same session in the House, and how it was dealt with will appear further on.

¹ Diplomatic Correspondence of Texas, file 735.

² *Niles' Register*, LIV, 255.

By the end of January, 1838, Hunt began to consider the outlook for annexation hopeless. On the thirty-first of that month he sent Irion a long communication¹ describing the contemporaneous aspect of the movement in detail. He was confident that he had fully ascertained the views of the administration and the general feeling in Congress, and he wrote, "I can no longer repel the conviction that the measure is utterly impracticable under existing circumstances". His despatch is a confidentially frank, searching, and faithful review of the situation. After remarking that the acquisition of Texas had been the settled policy of the United States for twelve years, as the instructions of Secretaries of State Clay, Van Buren, McLane, and Forsyth to ministers in Mexico showed clearly, and after stating that the President and several of the Cabinet still wished it, he continues:

But hampered as they are by their party trammels on the one hand, and their treaty obligations with Mexico on the other, by the furious opposition of all the free States, by the fear of incurring the charge of false dealing and injustice, and of involving this country in a war in which they are now doubtful whether they would even be supported by a majority of their own citizens, and which would be at once branded by their enemies at home and abroad as an unjust war, instigated for the very purpose of gaining possession of Texas and for no other, they dare not and will not come out openly for the measure, so long as the relative position of the three parties continues the same as it is at present.

Hunt then goes on to say that he had relied for success on a declaration of war by the United States against Mexico, which had finally become altogether improbable. "If the United States desire Texas", he says, "the proposition should now come from them. Our true policy now, in every aspect of view, is to appear indifferent upon the subject, and leave it for this government to solicit of us the consummation of a measure which, I am well assured will be the more desired by them, the less solicitous we appear about it ourselves." Describing the situation in Congress, he expresses the fear that Preston's resolutions will be tabled, and then adds:

In the course of a confidential conversation, which I had with Mr. Clay, a few days since, he assured me that he was friendly to the annexation of Texas, but that in his opinion, the time had not yet arrived when the question could be taken up in congress with any probability of success. Petitions upon petitions still continue daily pouring in against us from the North and East.

Finally, some lines written later say that the hopes of the annexationists have just been revived by a report of prospective changes in the Cabinet and the recently developed uneasiness of the adminis-

¹ Diplomatic Correspondence of Texas, file 743.

tration over the probability of a treaty between Texas and Great Britain.

Early in February Hunt writes again,¹ this time in a most hopeful strain. He has been led to believe that the United States government is on the point of taking active steps toward annexation. In a strictly confidential interview with Calhoun, saving the privilege of communication with the Texas government, he has learned that the administration is considering the policy of despatching a private mission to Mexico to secure the acquiescence of that country in the annexation movement. Calhoun has just received a note from a member of the Cabinet which leaves little doubt that the mission would result favorably, as information lately obtained would prove. Hunt is of the opinion that the unusual energy of the government is due mainly to the fact that he has informed Forsyth of his intention to ask to be recalled.

But the prospect of a revival of the movement was not realized. In March Hunt wrote² that he was gratified to receive instructions from President Lamar to show no further solicitude for annexation, and a few days later he reported³ that several members of Congress from the south had expressed their intention, if Texas was not annexed to the Union, to "advocate its annexation to the slave holding states". March 12, he wrote⁴ that, in his opinion and "that of many distinguished gentlemen from the South", unless Texas was annexed, the Union would soon be dissolved because of Northern interference with slavery in the south, which annexation would prevent by giving the South preponderance in the Senate. "Domestic slavery", he said, "in the United States and Texas, must, from various circumstances, stand or fall together." The failure of annexation would be at the risk of civil war in the Union, "for the fanatical spirit of abolition is unquestionably on the increase"; but the success of the measure would so check that spirit as to give the slaveholding states "perfect security".

Meanwhile the House was engaged in a vain struggle to keep back the question, which was seeking entry by the door of petition. This door to legislative consideration it had been sought practically to close against whatever might serve to promote the agitation of the slavery issue, but this could not be effectually done with men like John Quincy Adams in the House. The recognition of the independence of Texas in March, 1837, had brought the subject of

¹ February 3, Diplomatic Correspondence of Texas, file 744.

² March 3, *ibid.*, file 745.

³ March 9, *ibid.*, file 746.

⁴ *Ibid.*, file 747.

annexation, hitherto in the background, now openly to the front. The proposal made in August and its prompt rejection have been referred to already, and the claim of the conservatives and the peace makers now was that the question had been disposed of; but Adams refused to believe it. During the special session of the Twenty-fifth Congress, which met in September, 1837, and the regular session following, memorials and petitions against the annexation of Texas signed by multiplied thousands poured in and grew upon the table of the House into a mass that Howard of Maryland, chairman of the Committee on Foreign Relations, said might be measured by cubic feet. They seem to have come mainly from Massachusetts, Pennsylvania, and Ohio. A few counter-petitions from the South came in, but they were evidently intended to bring that method of dealing with the subject into contempt; for the Southern members of Congress had set their faces sternly against it. But Carter of Tennessee, who doubted the expediency of annexation, stated in the House on July 13, 1838, that it had been difficult to restrain the masses in the south from petitioning Congress in its favor. The House, on December 12, 1837, had by a vote of 127 to 68 laid the whole subject of annexation, with the papers relating to it, on the table without reference; but through an inadvertence, as was afterward claimed, the petitions on the subject had been subsequently allowed to go to the Committee on Foreign Relations. On June 13, 1838, a resolution was reported in the House from that committee discharging it from further consideration of the subject. The next day Waddy Thompson, from South Carolina, offered an amendment directing the President to take the proper steps for the annexation of Texas as soon as it could be done "consistently with the treaty stipulations of this government". On the fifteenth Adams moved to recommit the report with instructions to bring in a resolution containing the declaration "That any attempt by act of congress or by treaty to annex the republic of Texas to this union would be a usurpation of power, unlawful and void, and which it would be the right and the duty of the free people of the union to resist and annul". On the sixteenth he took the floor in support of his motion and consumed the morning hour from then till July 7, the last working-day of the session but one. This made any action on the matter, and any answer to his argument, meanwhile alike impossible.¹

By this time the ardor of Texas itself was abating. President Houston instructed Anson Jones, who took the place of Hunt as minister to the United States in the summer of 1838, formally to with-

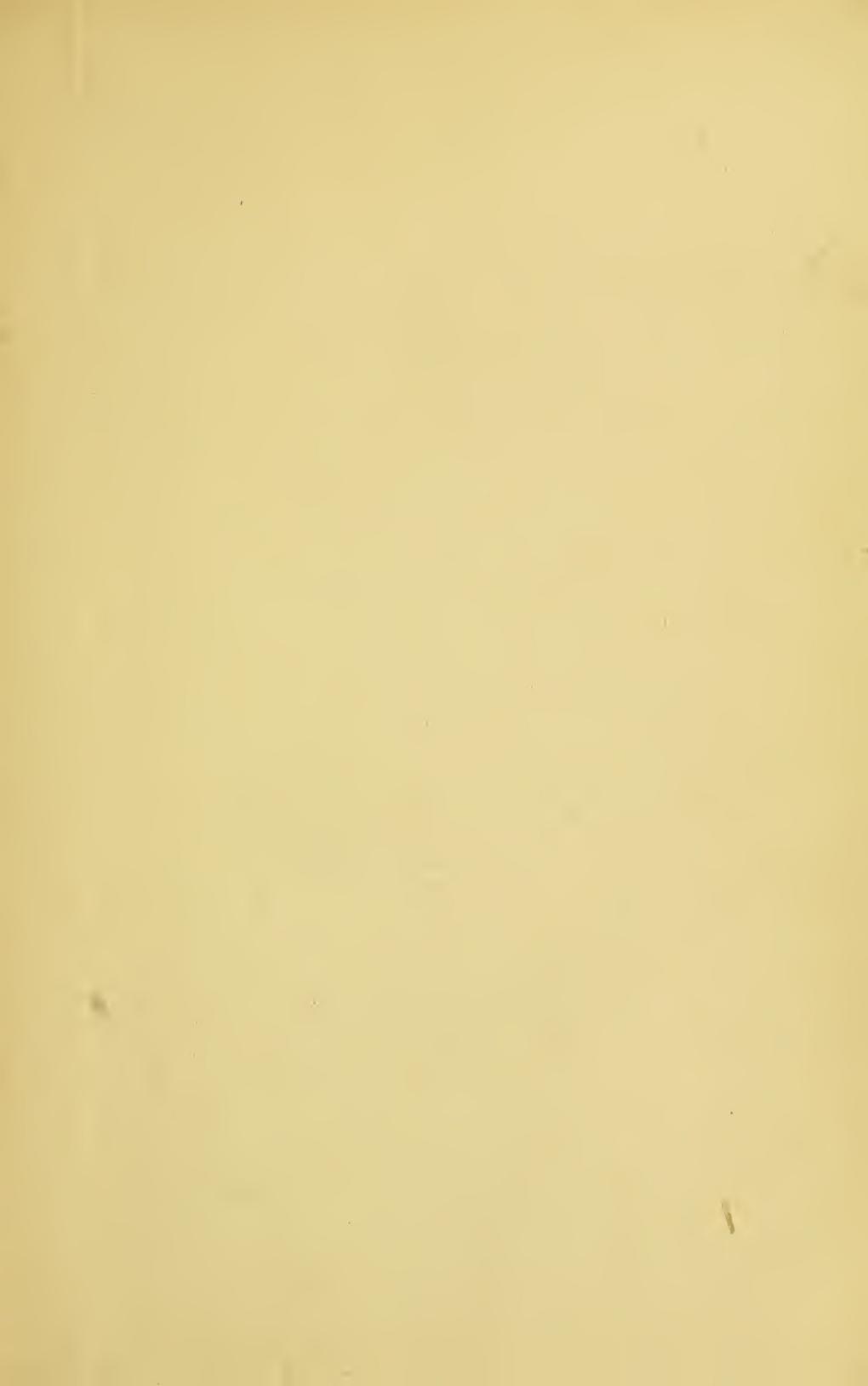
¹ *Niles' Register*, LIV, 256, 332, *passim*.

draw the proposal for annexation, and this was done October 12.¹ At the end of the year the presidency of Texas passed from Houston to Lamar, who was strongly opposed to annexation, and who so expressed himself in his first message to the Texan congress. A joint resolution of that body, approved January 23, 1839,² ratified the withdrawal of the proposition. The people of Texas gave consent by silence, and the first stage of the movement was over.

GEORGE P. GARRISON.

¹ *Diplomatic Correspondence of Texas*, file 947.

² *Laws of the Republic of Texas, passed the First Session of Third Congress, 1839* (Houston, 1839), 75.



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